

1 KAREN P. HEWITT
United States Attorney
2 BRUCE C. SMITH
Assistant U.S. Attorney
3 California State Bar No. 078225
Federal Office Building
4 880 Front Street, Room 6293
San Diego, California 92101-8893
5 Telephone: (619) 557-6963
E-mail: bruce.smith@usdoj.gov

6 Attorneys for Plaintiff
7 United States of America

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,	) Civil No. 07cv2100-DMS(AJB)
)
11 Plaintiff,	) NOTICE OF MOTION AND MOTION FOR
	) JUDGMENT BY DEFAULT AS TO THE
12 v.	) INTEREST OF JEREMY CAO, CRAIG
	) LAKE, AND ALL POTENTIAL CLAIMANTS
13 ONE 2006 BENTLEY FLYING SPUR)
SEDAN, CALIFORNIA LICENSE)
14 NO. 5GAG721	) DATE: March 21, 2008
VIN SCBBR53WX6C036543,	) TIME: 1:30 p.m.
15 ITS TOOLS AND APPURTENANCES,	) CTRM: 10
)
16 Defendant.	) NO ORAL ARGUMENT PURSUANT
	) TO LOCAL RULE
17)

18 TO: JEREMY CAO AND CRAIG LAKE, PRO PER

19 PLEASE TAKE NOTICE that on March 21, 2008 at 1:30 p.m., or as soon thereafter as counsel
20 may be heard, before the Honorable Dana M. Sabraw, United States District Court, Courtroom 10,
21 940 Front Street, San Diego, California, Plaintiff, United States of America, by and through its
22 attorneys, Karen P. Hewitt, United States Attorney, and Bruce Smith, Assistant United States Attorney,
23 will move the Court, pursuant to Rule 55(b)(2), Federal Rules of Civil Procedure, for a judgment by
24 default in the instant case as to the interest of Jeremy Cao, Craig Lake and all potential claimants.

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1 This motion is based on the files and records of this case, including the Clerk's Entry of Default
2 dated January 30, 2007, (Government's Exhibit 1) as well as the attached Memorandum of Points and
3 Authorities and Declaration of Bruce C. Smith (Government's Exhibit 2).

4 DATED: February 5, 2008.

5 Respectfully submitted,

6 KAREN P. HEWITT
7 United States Attorney

8 s/Bruce C. Smith

9 BRUCE C. SMITH
10 Assistant U.S. Attorney
11 Attorneys for Plaintiff
12 United States of America
13 E-mail: bruce.smith@usdoj.gov
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Attorneys for Plaintiff
 United States of America

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	) Civil No. 07cv2100-DMS(AJB)
)
Plaintiff,	) CERTIFICATE OF
	) SERVICE BY MAIL
v.)
)
ONE 2006 BENTLEY FLYING SPUR SEDAN,)
CALIFORNIA LICENSE NO. 5GAG721)
VIN SCBBR53WX6C036543,)
ITS TOOLS AND APPURTENANCES,)
)
Defendant.)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of **Notice Of Motion And Motion For Judgment Of Default As To The Interest Of Jeremy Cao, Craig Lake, And All Other Potential Claimants** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

None.

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

Jeremy Cao
 13 Allyssum
 Rancho Santa Margar, CA 92688

Craig Lake
 7951 Broadway
 Lemon Grove, CA 91945

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1 the last known address, at which place there is delivery service of mail from the United States Postal
2 Service.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on February 5, 2008.

s/Bruce C. Smith